

Before the  
FEDERAL COMMUNICATIONS COMMISSION

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JUN 10 1997

Communication Service Unit  
June 10, 1997

In the Matter of  
Application by Ameritech  
Michigan to Section 271 of the  
Telecommunications Act of 1996  
to Provide In-Region, InterLATA  
Services in Michigan.

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CC DOCKET 97-137

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Federal Communications Commission  
Office of Secretary

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COMMENTS OF THE MICHIGAN CONSUMER FEDERATION  
IN OPPOSITION TO AMERITECH MICHIGAN'S APPLICATION

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June 10, 1997

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Pursuant to the Notice of May 21, 1997 pertaining to this docket, the Michigan Consumer Federation (MCF), by its attorney, submits these Comments in Opposition to Ameritech Michigan's Application under Section 271 of the Telecommunications Act of 1996.<sup>1</sup>

**MICHIGAN CONSUMER FEDERATION'S INTEREST IN THIS PROCEEDING**

The Michigan Consumer Federation is a coalition of thirty organizations representing over 400,000 Michigan residents. It was founded in 1991 to advocate for the interests of Michigan consumers in the shaping of public policy on issues before the Michigan Legislature, state executive branch agencies, the United States Congress, and federal regulatory bodies. MCF has participated as a party in Case No. U-11104 before the

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<sup>1</sup> The Telecommunications Act of 1996, P.L. 104-104, codified at Title 47 of the United States Code, Secs. 251 *et seq.* (also referred to herein as the federal act).

Michigan Public Service Commission (MPSC).<sup>2</sup> In sheer numbers and magnitude of vulnerability, residential ratepayers of Ameritech Michigan have the most to lose from the premature authorization of Ameritech Michigan to enter the long distance market.

## **SUMMARY OF MCF'S POSITION**

**MCF urges the Commission to reject Ameritech Michigan's submission on the grounds that it is premature.**

The Michigan Consumer Federation incorporates by reference its Comments filed on February 6, 1997 in CC Docket 97-1, in which Ameritech Michigan initially made application for InterLATA authority. As discussed in MCF's earlier Comments, the local bottleneck has yet to be broken in Michigan which is an essential precondition to granting long distance authority to Ameritech Michigan, authority which Congress intended to be both an incentive and a reward for breaking up that bottleneck. The importance of sequencing persists, it being imperative to link Sec. 251 and Sec. 271 analyses, and to also ensure that *potential* benefits to long distance customers are not at the expense of local telephone customers.

Ameritech Michigan has not satisfied numerous requirements of the Telecommunications Act of 1996 that are inseparably linked to long distance entry. Specifically it has not met the requirements of Sections 251, 254(k), 271(c)(1)(A), 271(c)(2)(B), 271(d)(3), 272 and 706 of the federal act.

At the time of Ameritech Michigan's initial filing, questions were raised at the

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<sup>2</sup> In the matter of the Commission's own motion, to consider Ameritech Michigan's compliance with the competitive checklist in Section 271 of the Telecommunications Act of 1996.

Commission as to whether the interconnection agreement between Ameritech Michigan and AT&T satisfied statutory requirements. Subsequent negotiations between those parties and between Ameritech Michigan and other competitors have resulted in MPSC approval of various interconnection agreements, including one between Ameritech Michigan and AT&T.<sup>3</sup> Such negotiations and state commission approval are not in and of themselves sufficient to satisfy the requirements of Section 271 of the Act. Ameritech Michigan has failed to demonstrate that access and interconnection services are fully operational and that it is supplying critical Operation Support Systems ("OSS") functions to its competitors in a timely non-discriminatory manner; namely, at a quality level equivalent to what it provides to itself.

With respect to OSS considerations, the Commission should reject as misplaced, Ameritech's reliance upon experts who merely address OSS *theory* without having made any attempt to ascertain whether that theory is in fact being realized. The appropriate determination is whether the OSS function, in its day to day practical application, is consistent with the reasonable expectations of competitors and consumers. As a result of Ameritech OSS failures, ratepayers as well as competitors are being deprived of the intended benefits of competition, one of which is the breakup of the local bottleneck. Accordingly, it would be improper to reward Ameritech with long distance authority at this time.

In the instant Comments, MCF provides brief excerpts from its February-filed

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<sup>3</sup> Cases Nos. U-11151 and U-11152 (AT&T Communications of Michigan/ameritech Michigan Interconnection Agreement) April 4, 1997.

Comments for emphasis, together with supplementary information and a discussion of relevant developments that have occurred since that filing.

## **DISCUSSION**

Despite Michigan Public Service Commission (MPSC) approval of various interconnection agreements since Ameritech's withdrawal of its last application, there has not been a substantial abatement of those circumstances which existed four months ago that served as the basis of MCF's February 6 Comments in opposition to the initial Ameritech application.

### **Recent Developments since Ameritech's Last Withdrawal of its Application.**

Several developments since that time underscore the continued prematurity of this application.

#### **1. Inadequate Performance Benchmarks and Related OSS Considerations**

MCF urges the Commission to evaluate whether Ameritech has both adequate performance benchmarks and performance measures as are necessary to protect the public interest, convenience and necessity, as required by Sec. 271(f)(3) of the Act.

In recent months, competitors have filed in the Michigan docket<sup>4</sup> various and extensive documents that detail the difficulties experienced because of Ameritech's failure,

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<sup>4</sup> Case No. U-11104, In the matter of the Commission's own motion, to consider Ameritech Michigan's compliance with the competitive checklist in Section 271 of the Telecommunications Act of 1996.

for example, to recognize routing as an inherent common transport function to be considered as an unbundled network element; double billing; delays in transferring service orders because of Ameritech's use of manual processing for competitors rather than the automated process used for its own customers; similar mistakes and delays in customer data revisions for E911 purposes, etc. Such descriptions are typically (and understandably) couched in language that describes their anticompetitive affect.

However, MCF notes their simultaneous anti-consumer affect. For example, consider a particularly on-point exchange<sup>5</sup> that occurred in a comparable Illinois proceeding<sup>6</sup>, the transcript of which was submitted as an attachment to AT&T's May 28, 1997 Supplemental Submission of Information in the Michigan proceeding.

**Q.** ...you state that to the extent there were [911] errors Ameritech Illinois and TCG are impacted equally and there is no discrimination. Now, if there is an error for a customer's address, **the person impacted the most is the customer**, isn't that right, in the case of an emergency?

**A.** Yes.

(Emphasis supplied.)

MCF urges the Commission in its evaluation of the many OSS issues raised by competitors, to not lose sight of the fact, that for each such transgression the ultimate victim is the customer.

**a) Relevant DOJ Analysis** In emphasizing the importance of such performance

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<sup>5</sup> cross-examination of Ameritech witness David H. Gephardt with respect to potential address errors in the 911 data base

<sup>6</sup> *See, In the Matter of Illinois Commerce Commission on its Own Motion, Investigation Concerning Illinois Bell Telephone Company Compliance with Section 271 (C) of the Telecommunications Act*, No. 96-0404, May 6, 1997 hearing, at pp. 1689-93.

benchmarks, MCF points, for example, to the United States Department of Justice's (DOJ) application of this principle in a parallel Commission proceeding involving SBC Communications.<sup>7</sup> In its Addendum filed May 21, 1997, the DOJ at pp. 4-6, clarifies the importance of performance benchmarks in assessing whether interLATA long distance authority should be granted.

[T]he existence of 'performance benchmarks' serves an important purpose in demonstrating that the market has been 'irreversibly opened to competition.'

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[A performance benchmark] is a level of performance to which regulators and competitors will be able to hold a BOC after it receives in-region interLATA authority. The most effective benchmarks are those based on a 'track record' of reliable service established by the BOC. Such benchmarks may reflect either the BOC's performance of a wholesale support function for a competitor, or, in areas where the BOC performs the same function for its competitors as it does for its own retail operations, a benchmark may also be established by the BOC's service to its own retail operations. In instances where neither type of benchmark is available, the Department will consider other alternatives that would ensure a consistent level of performance, such as, for example, a commitment to adhere to certain industry performance standards and/or an audit of the BOC's systems by a neutral third party. Such benchmarks are significant because they demonstrate the ability of the BOC to perform a critical function-- for example, the provisioning of an unbundled loop within a measurable period of time. Thus, benchmarks serve, as explained in our evaluation, the important purpose of foreclosing post entry BOC claims that the delay or withholding of services needed by its competitors should be excused on the ground that the services or performance levels demanded by competitors are technically infeasible. See SBC Evaluation at 45-48.

Of special significance in that SBC proceeding is the affidavit of DOJ witness and former Illinois Bell Plant Department Manager, Michael J. Friduss, which MCF calls to the Commission's attention. In light of this testimony, MCF urges the Commission to review

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<sup>7</sup> See, *In the Matter of Application of SBC Communications Inc., et al Pursuant to Section 271 of the Telecommunications Act of 1996 to Provide In-Region InterLata Service to the State of Oklahoma*, CC Docket No. 97-121.

and ensure that the various interconnection agreements adequately include requisite performance benchmarks that will protect the public interest as well as competitors.

As explained by witness Friduss, for example,

The highest priority performance measures should be those that describe the end-to-end quality of service--cycle time and reliability--from the customer's viewpoint. Studies over the years have identified performance measures that correlate highly with the customer's perceptions of service quality, such as the percentage of repeat reports of trouble, while others have a lower correlation. (at par. 22)

[Emphasis supplied.]

In this connection, MCF urges the Commission to take administrative notice of Ameritech customer attitudes as extensively documented in a July 15, 1996 report prepared for the Public Utilities Commission of Ohio by the staff of the National Regulatory Research Institute.<sup>8</sup> This report, because of the comprehensive and timely approach it takes to determining attitudes and experiences of a significant pool of business and residential customers, could serve as an enormously useful and relevant tool in evaluating Ameritech's performance benchmarks and measures. Nothing suggests that in any meaningful way those results differ from the experiences of Ameritech customers in Michigan.

**b) Recent Decisions in Wisconsin and Illinois Illustrate OSS Problems with Ameritech.** MCF urges the Commission to take administrative notice of the April 3, 1997

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<sup>8</sup> See, "Survey and Analysis of the Telecommunications Quality of Service Preferences and Experiences of the Customers of Ohio Local Telephone Companies", NRRI-96-33, Raymond W. Lawton, Ph.D. Nothing in the questions posed, the demographics of the audiences polled, or the analysis suggests anything other than results that are consistent with quality of service experience throughout the Ameritech region.



decision of the Wisconsin Public Service Commission<sup>9</sup> (WPSC) in which it concludes that Ameritech's computer system is inadequate to meet competitors' needs so as to minimize double billing, for example. The Wisconsin Commission further directed its staff to devise specific criteria Ameritech must satisfy before the company presents its system for reexamination. MCF recommends a similar approach in Michigan in light of the submissions in this record documenting similar problems in this state.

Similarly, in Illinois, the hearing examiner ruled<sup>10</sup> on March 6, 1997, that Ameritech's OSS were not operational and functional. Ameritech attempts<sup>11</sup> to downplay that finding. It argues that subsequent to the date that record was closed, effective rebuttal testimony was submitted on that point. However, as noted by AT&T in its May 28th filing,<sup>12</sup> those witnesses continued to base their conclusions upon the theory that the OSS *should* work without any interviews with CLECs, or examination of various logs or lists of problems compiled by Ameritech. MCF urges that such expert testimony be afforded little if any weight for the additional reason that they apparently failed to interview any of the affected customers of these supposedly well functioning OSS systems.

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<sup>9</sup> See, *Matters Relating to Satisfaction of Conditions for Offering InterLATA Service*, Case 6720-TI-120, *Utility Regulation Report*, at p. 5.

<sup>10</sup> See, Docket No. 96-0404.

<sup>11</sup> See, *Ameritech's Response to the [Michigan] Commission's Questions Regarding Operations Support Systems*, May 29, 1997.

<sup>12</sup> See, *AT&T Supplemental Submission of Information*

**c) Recent MPSC Order in Case No. U-11240<sup>13</sup> Illustrates Importance of Service Quality as Vital Public Interest Consideration.** In this proceeding it was recognized that the public has a strong stake in the service quality terms and conditions that are included in agreements between two competitors, an interest deserving of regulatory oversight and protection. In response to those concerns, certain amendments and conditions were imposed upon the agreement, even as the Commission also recognized that

Documents submitted in this case show a decline in Ameritech Michigan's ability to initiate service to a new DS0 or DS1 customer by the CDDD, as well as an increase in the time to restore service to existing direct access customers. [citation omitted.] Moreover, testimony indicated that changes in the quality of service figures described by those exhibits arose from a combination of factors. [transcript citation omitted.] Some of those factors, such as reduced staffing levels associated with the corporate downsizing in late 1994, were within the exclusive control of Ameritech Michigan and its parent company. (at p. 17)

## **2. Costing Issues**

**a) TSLRIC Methodology** Ameritech continuously fails to provide TSLRIC cost data, which failure was the basis for the MPSC's appropriate April 10th dismissal of Ameritech's application to restructure its rates. Ameritech should not be rewarded with long distance authority before such costing data has been submitted.

**b) Access Charge Adjustments** Paragraph 381 of the Commission's May 7, 1997

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<sup>13</sup> See, In the Matter of the Complaint of AT&T Communications of Michigan, Inc., Against Ameritech Michigan, Case No. U-11240. AT&T's complaint against Ameritech was regarding the provisioning and restoration of dedicated access service. Provisioning refers to the initial connection of an end use customer to an interexchange carrier (such as AT&T) through the use of facilities owned by the local exchange carrier (such as Ameritech Michigan.)

adoption of changes in interstate access charges<sup>14</sup> is sharply at odds with the commitment enunciated by the Commission in its adoption of universal service standards<sup>15</sup>, in which it promised to ensure that local customers of basic service would receive their fair share of the benefit of decreased access charges. Rather than having that decrease reflected in the calculation of loop costs (which would be reflected in lower basic local rates), par. 381 of the Access Charges Order instead would have the 25% access charge reduction reflected, for example, in interLATA toll rates. This formula would thus deprive local service customers of *any* of those promised benefits.

This is illustrative of recent Commission decisions which will therefore necessitate that the MPSC reprice variously mandated unbundled elements. If fundamental and equitable principles of costing methodology are to be applied in a way that is neither anticompetitive nor anti-ratepayer, that repricing must be finalized before long distance authority is granted to Ameritech.

**New or additional information related to arguments raised by MCF  
in its February 6, 1997 Comments**

**• Market Conditions in Michigan Continue to  
Confirm the Absence of Competition**

Application of relevant competitive indicators to market conditions almost six years

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<sup>14</sup> See, Report No. CC 97-23. Docket No: CC-96-262, 94-1, 91-213, 95-72.

<sup>15</sup> See, Report No. CC: 97-24. Docket No. CC-96-45 (FCC N. 97-157) .

after implementation of the Michigan Telecommunications Act (MTA,)<sup>16</sup> demonstrates that the local Michigan market continues to be neither currently nor imminently competitive.

• **Provider Choice** In a competitive market consumers would have a meaningful choice of providers. Instead, as was the case in February, only a handful of Ameritech region customers in Michigan are served by a competitor---largely residential customers living in high rise buildings adjacent to office buildings. MCF has not argued that a metric or market test is required by the federal act. It is not. However, an assessment if market share is an appropriate and core *indicator* of whether there is open competition as required by the Act, is the extent to which customers have a meaningful choice of local telephone service providers. That the local bottleneck continues to exist in Michigan as in other markets is underscored by the most recent FCC reports.<sup>17</sup>

• **Rates** In a competitive market historically monopolistic rates would be lowered. Yet as emphasized in its earlier Comments, Ameritech has raised, not lowered basic local rates of residential customers. Its local rates (as measured by revenue per line) continue in fact to be one of the highest in the country. Even as Ameritech's costs have declined, local rates have more than tripled for unlimited flat service subscribed to by a majority of households.

In its January 22, 1997 filing for still further rate increases (Case No. U-11306), Ameritech attempted to distract attention from the absence of local competition. It justified

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<sup>16</sup> Michigan Telecommunications Act, 1991 PA 179, as amended, MCL 484.2101, et seq. MSA 22.1469 (101) et seq., (MTA)

<sup>17</sup> See, Federal Communications Commission, Telecommunications Industry Review: TRS Fund Worksheet Data, Table 2 (Dec. 1996).

its failure to lower basic rates on the assertion that its rates are priced below cost and subsidized by other rates. Local residential rates have not been subsidized. The "rate rebalancing" as was attempted in Ameritech's recent rate restructuring application, is in fact an effort to accumulate additional excess rates from captive customers to be used in gaining still further competitive advantage. That application for restructuring was properly denied by the MPSC on April 10, 1997, because of Ameritech's failure to submit appropriate TSLRIC studies. As discussed above, until such costing studies have been submitted and accepted as proper, it is premature for Ameritech to be granted authority to provide long distance service in Michigan.

With respect to costing methodology, MCF notes the irony of the contradictions found in the costing point of view that RBOCs present abroad compared to those they advance here at home. Even as the RBOCs, including Ameritech, have appealed the Commission's Order adopting the use of forward looking costs, that is the precise methodology they advance in foreign markets where they are trying to persuade foreign regulators that they should be allowed to establish a foothold in overseas markets. For example, consider Ameritech's reliance on such forward looking costing methodology before Australian regulators in the early 1990's.<sup>18</sup>

Just as at the time of MCF's February 6 filing of Comments, Ameritech shareholders have no cause to complain. Ameritech's most recent annual report, released almost simultaneously with its latest withdrawal of its application for long distance authority,

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<sup>18</sup> See, Roger Fillion's March 16, 1997 Reuters news release as included in America On Line: Femme 14178 Page: 1 (March 17, 1997).

confirms Ameritech's exceedingly excessive profit levels... a 1996 rate of return on equity of 42.8% in Michigan! By way of comparison, the S&P 1996 composite performance was 17.3%; S&P Automotive 19.4%; and 1997 to date S&P Telecom 10.3%

Ameritech earnings have continued to surge. "In 1996 we achieved our strongest-ever revenue growth and our largest dividend increase since 1991 [also the largest among major U.S. telecommunications companies since 1992]. In addition, it was our fourth consecutive year of double-digit earnings growth before one-time events." (1996 Annual Report at p.2).

- **Emergency Services** As raised in its February 6 Comments, of particular concern to MCF and the residential ratepayers it represents is Ameritech's noncompliance with various competitive checklist items such as those related to emergency services. The complaint filed by the City of Southfield illustrates the problem when incumbents such as Ameritech Michigan do not maintain a timely update of the 911 data bank to include information about the customers who switch to a competitor, information needed for those who administer 911 assistance. As recently reported,<sup>19</sup> those problems continue even as taxpayer monies flow to Ameritech to keep the database accurate.

- **Dialing Parity** Although dialing parity is as essential to launching meaningful local competition as it was to long distance competition, Ameritech Michigan has defied MPSC requirements and sued to stop its dialing parity requirements. That case is still pending in the Michigan Supreme Court. Until resolved, and in the absence of dialing parity, any reasonable level of local competition is impossible.

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<sup>19</sup> See, Attachment A, "911 Errors Fuel Debate", The Detroit News, June 5, 1997, at Section B, page 1.

- **Need for Preliminary Investigation of ACI/Ameritech Michigan Transactions** Before entry into long distance is authorized, regulators still must investigate questionable transactions between ACI and Ameritech Michigan to protect ratepayers against cross-subsidization.

### **Conclusion**

Competitive market forces do not develop overnight and residential customer needs are the most inelastic and least likely to benefit from competition in the short run. In the absence of such market forces, government protections are essential. They must be removed only when---and only to the extent---that effective competitive market forces can take their place. Whether the benefits of competition are ever realized by residential consumers depends in very large part on regulators vigorously playing their rightful role during this time of transition. They must ensure that enforcing safeguards receives as much attention as facilitating entry into new markets. It cannot be overstated that competition will come unevenly for different customer classes and different parts of the state. This reality requires regulators to give careful analysis to the facts associated with competition, not self-serving propaganda.

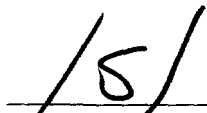
### **MCF urges the Commission to conclude that:**

- It is premature to verify Ameritech's compliance with the competitive checklist.
- The local telephone market in Michigan is not competitive; the bottleneck has not yet been eliminated.
- Holding out long distance entry authority as the incentive for breaking up the bottleneck is essential.
- Regulators have the continued responsibility to ensure that the needs of local residential consumers are paramount; they must not be sacrificed for the theoretical benefit of long

distance customers.

- Ameritech Michigan's continued defiance of MPSC Orders related to local competition, compels extra diligence in reviewing its assertions in the Submission.
- The incentive of long distance entry authority is the only practical incentive for Ameritech Michigan to provide adequate service quality, and to invest in the network in Michigan.
- At present, the potential benefits of increased long distance competition as a result of Ameritech's entry do not exceed the risks.
- Accounting and safeguard rules must be put in place with adequate resources and commitment to enforcement.
- The Commission must assume its vital consumer education responsibilities as a stimulus of competition.

Respectfully submitted this 10th day of June, 1997,

  
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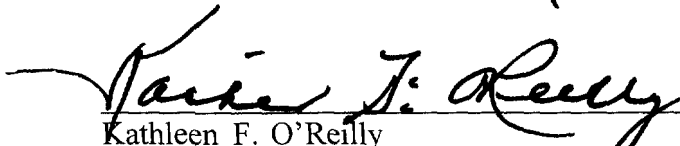
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# 911 errors <sup>OH-1</sup> fuel debate

## Ameritech data wrong, city says

By HUGH McDIARMID JR.  
The Press Staff Writer

Trapped in a back room as jewel thieves blasted gunfire into display cases at Darakjian Jewelers in January, customers of the Southfield store dialed 911 and

### Southfield

begged for help. Dispatchers' computer screens displayed an incorrect address.

And when Anthony Ward sprayed gunfire toward his fleeing wife in the Southfield offices of Credit Acceptance Corp. last fall, workers frantically dialed 911.

Dispatchers' screens read: "Record not found."

These are among the most serious examples among dozens of 911 database errors recorded each month in Southfield, where public safety

officials say they're at wit's end with Ameritech, which is paid by taxpayers to keep the database accurate.

The database is used by 911 emergency dispatchers throughout metropolitan Detroit to display the caller's address, phone number and name—vital information if a caller is unable to speak or unsure of their location.

Southfield has filed a complaint with the Michigan Public Service Commission asking that state regulators impose penalties and force Ameritech to get the database in shape.

So far database errors have caused some initial confusion for dispatchers but no delays in the arrival of firefighters, police or ambulances. And Southfield appears to be the only metro city complaining about errors. But officials there believe it's only a matter of time before 911 database errors endanger someone's life—in their city or others.

"We worked with (Ameritech) for a year or a year and a half and gave Please see 911, Page 4B

## 911 database errors foil urgent Southfield calls

911, from Page 1B

up in frustration," Southfield Administrator Robert Block said Wednesday. "When a senior citizen has a heart attack, and gets to the phone and calls 911 and drops, and we get the wrong information, who's going to explain that to their family?"

Ameritech officials said they're mystified by Southfield's aggressive pursuit of the complaint.

"I'm not even sure I'd characterize it as a problem," said Harry Semerjian, Ameritech vice president of corporate planning.

For years, Ameritech was the sole provider of local telephone service in metropolitan Detroit, maintaining the 911 database on millions of customers and collecting telephone surcharges for the service.

But as deregulation allowed competitors into the market two years ago, Ameritech found itself being required to accept and enter 911 data from a patchwork of smaller companies.

That system apparently hasn't worked well in Southfield, where officials say data errors are five times more likely for customers of the small providers than they are for Ameritech customers.

Ameritech has about 220,000 tele-

phone subscribers in Southfield; competing companies have about 10,000.

About 4,000 Southfield phone customers call 911 each month. And about 20 of them had incorrect information displayed to dispatchers because of database errors during the last four months of 1996. That rate declined to 11.3 errors per month from Jan. 1 through March 10, according to documents filed with the Public Service Commission.

Ameritech agrees that the transition hasn't been flawless, but says public safety hasn't been jeopardized.

"We've corrected discrepancies on an ongoing basis and are working with new local service providers ... to develop a seamless environment," Semerjian said.

Ameritech officials said it isn't their company's fault when competitors supply incorrect information.

But regulators contend in a preliminary recommendation that Ameritech's obligation goes beyond data entry and includes ensuring accuracy.

Ameritech officials said they're doing that by working with the other phone companies to correct flaws.

Ameritech competitor Teleport Communications Group provided phone service to Credit Acceptance

Corp., where Ward terrorized workers as he shot his wife, Renee, three times Oct. 12; Renee Ward survived.

Emergency 911 dispatchers got no information on their screens when office workers called for help—because Ameritech had inadvertently purged information about that phone line out of the database. An internal investigation by the telephone companies found that Teleport had given correct information to Ameritech.

In the Darakjian Jewelers heist—one in a string of high-profile Oakland County jewelry store robberies—police were familiar with the location of the business and quickly dismissed the incorrect address given by the database.

Officers in both incidents lost no time in responding because callers were able to identify their locations verbally.

The preliminary Public Service Commission staff recommendation suggests that regulators force Ameritech to begin 100-percent verification of database accuracy immediately, reimburse Southfield and any other cities for costs associated with database errors, and be penalized with \$1,000 fines for any identified error that is not corrected within 24 hours.

A final order will be issued, possibly as early as next month.

Attachment "A"